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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 VINCENT S. CLARDY,

15 Defendant.
16

Case No. 2:19-MJ-882-DJA-1

**STIPULATION TO CONTINUE
TRIAL BRIEF, WITNESS LIST
DEADLINES AND TRIAL DATES**
(First Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
18 Trutanich, United States Attorney, and Rachel Kent, Special Assistant United States Attorney,
19 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
20 and Tiffany L. Nocon, Assistant Federal Public Defender, counsel for Vincent S. Clardy, that
21 the trial brief and witness list deadlines currently scheduled for February 24, 2020, be vacated
22 and set to March 9, 2020, and that the trial currently scheduled for February 26, 2020 at 10:00
23 am, be vacated and set March 11, 2020.

24 The Stipulation is entered into for the following reasons:

25 1. Counsel for the defendant needs additional time to conduct investigation in this
26 case.

1 2. The defendant is not incarcerated and does not object to the continuance.

2 3. The parties agree to the continuance.

3 4. Additionally, denial of this request for continuance could result in a miscarriage
4 of justice. The additional time requested by this Stipulation is excludable in computing the time
5 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
6 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
7 Section 3161(h)(7)(B)(i), (iv).

8 This is the first stipulation to continue filed herein.

9 DATED this 22 day of January, 2020.

10 RENE L. VALLADARES
11 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

12 By /S/ Tiffany L. Nocon

By /s/ Rachel Kent

13 TIFFANY L. NOCON
Assistant Federal Public Defender

RACHEL KENT
Special Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VINCENT S. CLARDY,

Defendant.

Case No. 2:19-MJ-882-DJA-1

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to conduct investigation in this case.
2. The defendant is not incarcerated and does not object to the continuance.
3. The parties agree to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the

1 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
2 account the exercise of due diligence.

3 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
4 United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18,
5 United States Code, § 3161(h)(7)(B)(i), (iv).

6 **ORDER**

7 IT IS FURTHER ORDERED that trial briefs, proposed voir dire questions, proposed
8 jury instructions, and a list of the Government's prospective witnesses must be electronically
9 submitted to the Court by the 9th day of March 2020.

10 IT IS FURTHER ORDERED that the trial currently scheduled for February 26, 2020,
11 at the hour of 10:00 a.m. be vacated and continued to March 11, 2020 at the hour of 10:00
12 a.m.

13 DATED this 24th day of January, 2020.

14 

15 _____
UNITED STATES MAGISTRATE JUDGE